



**STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL**

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**DIVISION OF REGIONAL OFFICES
ROCHESTER REGIONAL OFFICE**

June 24, 2025

Via CM/ECF

Hon. Mark W. Pedersen
United States Magistrate Judge
Western District of New York
1360 U.S. Courthouse
100 State Street
Rochester, New York 14614-1363

Re: Ronald Muhammad v. Annucci, et al., 22-CV-6025

Dear Judge Pederson:

In its decision dated June 6, 2025, the District Court construed Docket No. 96, the Third Amended Complaint filed on November 26, 2024, as the operative complaint. The Court noted "Plaintiff is on notice that, at this stage of the proceedings, his only active claim is a Title VII claim against NYDOCCS itself. *Loe. R. Civ. P. 15(a)* ("The proposed amended pleading must be a complete pleading superseding the [operative] pleading in all respects.")". Docket No. 111, at p 11. The District Court further ordered that "Plaintiff should file a motion to amend the Third Amended Complaint (Docket No. 96) should the Plaintiff wishes to file any further formerly pleaded claims." Dockets 111, at p12.

Plaintiff filed his complaint on January 18, 2022, and since then he filed several amended complaints each with different claims and different defendants, which made this matter a complex and prejudicial to the Defendants and to the new defendant, the Department of Corrections and Community Supervision ("DOCCS"). On June 20, 2025, three years after filing his initial complaint, Plaintiff filed another amended complaint, without prior authorization from this Court, with a Title VII claim against DOCCS. Docket No. 112. Plaintiff's practice is extremely prejudicial to the Defendants and to DOCCS. Therefore, I consider the Plaintiff's complaint filed on June 20, 2025, is in nullity and that the Third Amended Complaint, Docket No. 96, as the operative complaint.

Further, DOCCS is the new Defendant in this action moving forward. Docket Nos. 96, 103, 111. However, unless the DOCCS is properly served and requests my representation, I am unable represent DOCCS and file an answer or otherwise respond to Plaintiff's Third Amended Complaint. Therefore, I would respectfully request the Court add DOCCS as the Defendant in this matter and order Plaintiff to

affect the service upon the DOCCS.

Thank you, Your Honor, for your time and consideration.

Respectfully submitted,

s/ Muditha Halliyadde
Assistant Attorney General

cc: Ronald Muhammad (via mail)
Clerk (via CM/ECF)